

January 28, 2013

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Commissioner for Patents  
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|                      |  |
|----------------------|--|
| Re: Invention:       | PROCESS FOR AFFINITY VISCOSIMETRY<br>AND VISCOSIMETRIC AFFINITY SENSOR |
| First Inventor:      | Rudolf Ehwald  |
| Patent No.:          | 6,267,002  |
| Art Unit:            | 2856   |
| Confirmation No.:    | 6686   |
| Filed:               | October 12, 1999   |
| Our Docket/File No.: | 19350 US-dc  |

**NOTIFICATION OF ERROR IN PAYMENT OF FEE(S) AS A  
SMALL ENTITY (37 CFR 1.28(C))**

Dear Sir:

1. Applicant has determined that a good faith error has occurred with the payment of fees as a small entity for U.S. Patent No. 6,267,002 and hereby takes steps under 37 CFR 1.28(c)(1 and 2) to have such error excused (*See* MPEP 509 and 37 CFR 1.28).
2. Applicant established status as a small entity in good faith and also paid fees (filing fees through issue fees) for a small entity in good faith for the above-referenced patent. Further, U.S. Patent No. 6,267,002 issued on July 31, 2001, and the first, second and third maintenance fees were paid.
3. It has now been established that such status as a small entity was established in error in good faith as follows:
  - ☐ Although Applicant is a small entity, the small entity statement was, through error and in good faith, not signed by all persons or entities having an interest
  - ☐ Although Applicant is a small entity, the small entity statement was, through error and in good faith, not signed by the proper authorized person
  - ☐ Applicant erroneously in good faith believed itself entitled to small entity status and has now discovered that this is not so

☒ Before the payment of the first maintenance fee listed below, a change occurred whereby small entity status could no longer be claimed for applicant and, through good faith error, the Office was notified

☐ Other: \_\_\_\_\_

4. Calculation and itemization of deficiency owed (37 CFR 1.28(c)(2))

| FEE(S)<br>ERRONEOUSLY<br>PAID AS A SMALL<br>ENTITY                                  | FEE PAID AS A<br>SMALL ENTITY | CURRENT FEE<br>AMOUNT FOR<br>LARGE ENTITY | DEFICIENCY<br>OWED |
|---|-------------------------------|---|--------------------|
| <input checked="" type="checkbox"/> First maintenance<br>fee paid on 01/04/2005     | \$450                         | \$1,150                                   | \$700              |
| <input checked="" type="checkbox"/> Second<br>maintenance fee<br>paid on 09/30/2008 | \$1,180                       | \$2,900                                   | \$1,720            |
| <input checked="" type="checkbox"/> Third maintenance<br>fee paid on<br>01/02/2013  | \$2,405                       | \$4,810                                   | \$2,405            |
| Total Deficiency Owed:  |                               |   | \$4,825            |
| Total Deficiency:   |                               |   | \$4,825            |

5. *Deficiency Payment (37 CFR 1.28(c)(2)).* Pursuant to 37 CFR 1.17(i), the processing fee in the amount of \$130 and pursuant to 37 CFR 1.28(c)(2)(i), the deficiency fee in the amount of \$4,825 are hereby charged to Deposit Account No. 02-2958. In the event that Applicant has inadvertently overlooked the need for any additional petition or payment of additional fees, Applicant hereby conditionally petition therefore and authorizes that any fee deficiencies be charged to Deposit Account No. 02-2958. Please refer to docket number 19350 US-dc when making any such charge against the deposit account.
6. Given that Applicant has taken steps under 37 CFR 1.28(c)(1 and 2) to correct the good faith error in entity status, Applicant requests that the good faith error be excused, that the status be changed to Large Entity and that the payment of deficiency fees be accepted.

Respectfully submitted, 01/30/2013 MBANGURA 00000101 022958 6267002  
01 FC:1599 2405.00 DA

/William R. Lyon/

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Ref. No. 19350-US  
Patent No. 6,267,002

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